

TENTATIVE RULINGS

CHILD SUPPORT CALENDAR

For: 11/17/10 Wednesday Dept: 4

(Posted 11/16/10)

Tentative Rulings are proposed as orders to be issued at the hearing and are posted in advance for the convenience of the parties and their counsel. Each matter on calendar will be called and parties are expected to attend. For those matters where the parties are not ordered to appear and either the parties agree or no objection is made at the hearing, the Court routinely adopts the tentative ruling as the ruling in the matter.

For privacy purposes on the publicly posted version of this document the parties' last names have been replaced by keeping only the first letter followed by three x's (example, John Doe = John Dxxx).

1. **8:30 AM** Case: 10CS36823 [S] Sxxx v Sxxx
Type: REGISTRATION CALIF SUPPORT ORD Date Filed: 07/01/10
Event: CSCSA'S MOTION RE MODIFICATION OF HEALTH CARE

PETNR: Sxxx, CLAIRE S. ATTY:
J/PRTY: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
RESP: Sxxx, RICHARD ATTY:

Tentative Ruling: The prior order from San Joaquin listed the Respondent as obligor, apparently now the Agency asserts Petitioner is the obligor. The copy of the San Joaquin order on file in this action is missing the second page. As there is no opposition, the Agency's health insurance motion is granted. The Petitioner must provide health insurance for each child named in this action if such insurance is available through an employer or otherwise at a reasonable cost to the Petitioner.

2. **8:30 AM** Case: CV21209 [S] COUNTY OF CALAVERAS v Mxxx
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 11/03/94
Priority Info: 170.3 JEM
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR \$145 TO ZERO)

PLNTFF: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
DEFNDT: Mxxx, MATTHEW ATTY:
O/PRNT: Mxxx, WENDY ATTY:
NKA: Bxxx, WENDY

Tentative Ruling: Defendant has requested a reduction in the child support order. Defendant has the burden of showing changed circumstances since the last support order. Defendant has met the initial burden on the motion as he is incarcerated with presumptively no ability to earn. Absent objection and contrary evidence by the custodial parent, the court will grant the modification as outlined in the Agency pleading (CS=\$0) effective 10/1/10.

3. 8:30 AM Case: CV29188 [S] COUNTY OF STANISLAUS v Wxxx
Type: REGISTRATION CALIF SUPPORT ORD Date Filed: 12/24/02
Event: CSCSA'S MOTION RE SEEK EMPLOYMENT (EMPLOYMENT VERIFIED??)

PETNR: COUNTY OF STANISLAUS ATTY:
J/PRTY: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
RESP: Wxxx, JERRY ATTY:
Service Date/Type: 12/27/02 MAI
O/PRNT: Wxxx, KRYSTAL ATTY:
Service Date/Type: 12/27/02 MAI

Tentative Ruling: This matter was continued to allow the Agency to verify Respondent's employment. Absent verification, the motion to seek work is granted. The Respondent is ordered to seek work by contacting 20 employers every 30 days and submit proof of compliance on the form provided by the agency. Provided the defendant appears, the next court date is at 8:30AM on 3/16/11.

4. 8:30 AM Case: CV32677 [S] Mxxx v Mxxx
Type: DISSOLUTION WITH MINOR CHILDREN Date Filed: 05/17/06
Event: CSCSA'S MOTION RE SEEK EMPLOYMENT; \$2K

Related cases NOT on this calendar: CV32487
PETNR: Mxxx, SHAWNA ATTY: IN PRO PER
NKA: Mxxx, SHAWN LEE
J/PRTY: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
RESP: Mxxx, DENNIS ATTY: SALAZAR, ANTHONY T. ESQ
Service Date/Type: 00/00/00 Answer Date: 06/19/06

Tentative Ruling: The motion to seek work is granted. The Defendant is ordered to seek work by contacting 20 employers every 30 days and submit proof of compliance on the form provided by the agency. The Support Agency is to release its hold on the obligor's driver's license for each month the obligor pays \$25.00. Provided the defendant appears, the next court date is at 8:30AM on 3/16/11.

5. 8:30 AM Case: CV32257 [S] COUNTY OF CALAVERAS v Kxxx.
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 12/19/05
Event: CSCSA'S MOTION RE SEEK EMPLOYMENT; \$13K

PLNTFF: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
DEFNDT: Kxxx, JAMES L. JR ATTY:
Service Date/Type: 11/08/06 PER
O/PRNT: Bxxx, MARCY A. ATTY:

Tentative Ruling: The motion to seek work is granted. The Defendant is ordered to seek work by contacting 20 employers every 30 days and submit proof of compliance on the form provided by the agency. Provided the defendant appears, the next court date is at 8:30AM on 3/16/11.

6. 8:30 AM Case: CV30574 [S] COUNTY OF CALAVERAS v Lxxx
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 05/07/04
Event: CSCSA'S MOTION TO OFFSET CHILD SUPPORT BY DIRECT SSA PAYMENT TO CHILD

Related cases NOT on this calendar: 10GD7143, 10DV36676, 10CV36911
PLNTFF: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
DEFNDT: Lxxx, FRANK G ATTY:
Service Date/Type: 05/20/04
O/PRNT: Sxxx, TRACY ATTY:
Service Date/Type: 05/11/04

Tentative Ruling: The Agency moves for an order crediting Defendant for Social Security payments paid to the caregiver for his child based upon Defendant's account against the monthly child support obligation. The motion is granted as prayed for. Defendant's monthly net child support after credits is \$0.

7. 8:30 AM Case: CV31726 [S] Dxxx v Dxxx
Type: DISSOLUTION WITH MINOR CHILDRE Date Filed: 06/02/05
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR ZERO TO \$388)
11/22/10 1:30 1A FURTHER CASE MANAGEMENT CONF-FAMILY LAW
12/07/10 9:00 1 PETITIONER'S MOTION FOR MODIFICATION OF
CUSTODY, VISITATION AND CHILD SUPPORT

PETNR: Dxxx, DANIEL E. ATTY: IN PRO PER
J/PRTY: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
RESP: Dxxx, LYRA R. ATTY: IN PRO PER
Service Date/Type: 06/09/05 PER Answer Date: 06/27/05
NKA: Axxx, LYRA

Tentative Ruling: The Agency has requested an increase in the child support order. The prior order of \$0 was under Fam. 4065 and thus no changed circumstances need be shown. The following changes are made to the Agency's calculation: 1) Petitioner's income is \$1,900 unemployment income as declared on his 11/4/10 financial declaration; and 2) Respondent is credited with transportation costs for visitations with the three children in Virginia at \$60/child/mo. Absent objection and contrary evidence by the parties, the court will grant the modification as outlined in the Agency pleading as modified by the new facts (CS=\$174) effective 11/4/10.

8. 8:30 AM Case: CV33152 [S] CO OF SACRAMENTO v Axxx
Type: REGISTRATION CALIF SUPPORT ORD Date Filed: 11/02/06
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR \$355 TO ZERO)

Related cases NOT on this calendar: CV33165
PETNR: COUNTY OF SACRAMENTO ATTY:
J/PRTY: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
RESP: Axxx, JAMES ATTY:
O/PRNT: Sxxx, LATOYA S. ATTY:

Tentative Ruling: Respondent has requested a reduction in the child support order. Respondent has the burden of showing changed circumstances since the last support order. Respondent must provide a factual explanation of termination of employment disqualifying him from unemployment benefits. Provided such showing is made the court will grant the modification as outlined in the Agency pleading (CS=\$0) effective 11/1/10.

9. 8:30 AM Case: CV31583 [S] Bxxx v Bxxx
Type: REGISTRATION CALIF SUPPORT ORD Date Filed: 04/08/05
Event: CSCSA'S MOTION RE MODIFICATION OF CHILD SUPPORT (FR \$550 TO \$992)

Related cases NOT on this calendar: CV34693
PETNR: Bxxx, KIMM ATTY:
AKA: Kxxx, KIMM
J/PRTY: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
RESP: Bxxx, TODD ATTY: CHAVEZ-CHOA LAW OFFICES INC.

Tentative Ruling: Petitioner has requested an increase in the child support order. The prior order was a stipulated order under Fam. 4065 so no changed circumstances need be shown. However, Petitioner's Income and Expense Declaration is incomplete and inconsistent. Unless the parties agree to modification, or sufficient credible evidence Petitioner's income and how her current expenses are being met is presented, the motion is denied.

10. 8:30 AM Case: CV35957 [S] COUNTY OF CALAVERAS v Wxxx
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 08/11/09
Event: CSCSA'S OSC RE MOD CHILD SUPPORT, HEALTH & CHANGE OBLIGOR

PLNTFF: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
DEFNDT: Wxxx, ANTONIA ATTY:
Service Date/Type: 02/09/10 SUB
O/PRNT: Hxxx, JUSTIN A. ATTY:
Service Date/Type: 08/19/09 MAI

Tentative Ruling: The Agency has requested a reduction in the child support order. The Agency has the burden of showing changed circumstances since the last support order. The Agency has met the initial burden on the motion as the Defendant is now the child's primary caregiver. Absent objection and contrary evidence by the parties, the court will grant the modification as outlined in the Agency pleading (Other Parent owes CS=\$0) effective 8/1/10.

11. 8:30 AM Case: CV36204 [S] COUNTY OF CALAVERAS v Vxxx
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 11/02/09
Event: CSCSA'S CONTINUED MOTION RE CHILD SUPPORT & REVIEW ON SEEK WORK

PLNTFF: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
DEFNDT: Vxxx, ZACHARY ATTY: IN PRO PER
Service Date/Type: 11/16/09 PER Answer Date: 11/25/09
O/PRNT: Mxxx, ALLISON H. ATTY:
Service Date/Type: 11/05/09 MAI

Tentative Ruling: Provided the defendant has shown compliance with the court's prior orders to seek work, the prior orders remain in full force and effect. A future court date to review compliance is set for Dept. 4 at 8:30AM on 3/16/11.

12. 9:00 AM Case: CV27523 [S] COUNTY OF CALAVERAS v Mxxx
Type: SUM'S & COMPL. RE PARENTAL OBL Date Filed: 05/14/01
Event: CSCSA'S CONTINUED OSC RE CONTEMPT
CITEE: GARY F. Mxxx

Related cases NOT on this calendar: CV27731, C12271, C13035
PLNTFF: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
DEFNDT: Mxxx, GARY F ATTY:
Service Date/Type: 05/26/01 PER
O/PRNT: Gxxx, SHERRI L ATTY:
Service Date/Type: 05/23/01 MAI

Tentative Ruling: There is no Tentative Ruling on this case. The parties, and their legal counsel if represented, are ordered to appear.

13. 10:30 AM Case: CV32153 [S] Dxxx v Kxxx
Type: ESTABLISH PARENTAL RELATIONSHI Date Filed: 11/08/05
Priority Info: 170.3 JEM; CONF; LEAD CASE
Event: CSCSA'S MOTION RE SEEK WORK EFFORTS SPECIALLY SET

Related cases NOT on this calendar: CV30981 ,
PETNR: Dxxx, JENNIE L. ATTY: BRADSHAW, JANET L. ESQ
J/PRTY: COUNTY OF CALAVERAS ATTY: CENTRAL SIERRA CHILD SUPPORT
RESP: Kxxx, IBRAHIM ATTY: IN PRO PER

Tentative Ruling: Provided the defendant has shown compliance with the court's prior orders to pay support or seek work, the prior orders remain in full force and effect. A future court date to review compliance is set for Dept. 4 at 8:30AM on 3/16/11.

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